

## Pugliese, Holly

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**From:** Holly Pugliese <Pugliese.Holly@epamail.epa.gov>  
**Sent:** Tuesday, October 27, 2015 9:18 AM  
**To:** Pugliese, Holly  
**Subject:** Fw: NY Independent concern.

Holly A. Pugliese  
Office of Transportation and Air Quality  
US EPA  
734.214.4288  
pugliese.holly@epa.gov

----- Forwarded by Holly Pugliese/AA/USEPA/US on 10/27/2015 09:18 AM -----

From: "Immekus, Kurt" <Kurt.Immekus@vw.com>  
To: Holly Pugliese/AA/USEPA/US@EPA,  
Cc: "Nurnberger, Todd" <Todd.Nurnberger@vw.com>  
Date: 09/01/2009 01:26 PM  
Subject: RE: FW: NY Independent concern.

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Hello Holly,  
Glad to help.

The Factory scan tool he owns has the complete car diagnostics including ABS. He has the same software the dealers get and access to the same service information. He can order scan tool software updates at the same time they are available to the dealers. The pass thru applications we offer allow him to do all of the legally required module updates and immobilizer re-sets. We also have a program through a third party vendor for immobilizer, ECM and instrument cluster adaptations in support of his scan tool. We make everything available to meet all the regulatory requirements. In addition we are supporters of the NASTF Secure Data Release Model to allow independents access to security related systems. He insist he should have security systems access we offer without going through the enrollment process, claiming that this voluntary program is illegal.

Best Regards  
Kurt

**From:** Pugliese.Holly@epamail.epa.gov [<mailto:Pugliese.Holly@epamail.epa.gov>]  
**Sent:** Monday, August 31, 2009 1:27 PM  
**To:** Immekus, Kurt  
**Cc:** Nurnberger, Todd  
**Subject:** Re: FW: NY Independent concern.

Hi Kurt, thanks, this is helpful. I do want to clarify that he was looking to do repairs beyond emissions such as ABS, is that correct? Also, the alternatives you mention, using a VW tool, pass-through device and SDRM, does that give an independent shop the ability to do more than just emissions or make keys? In other words, if a shop wanted to do a legit ABS repair, would he use one of these methods?

Thanks...

From: "Immekus, Kurt" <Kurt.Immekus@vw.com>  
To: Holly Pugliese/AA/USEPA/US@EPA  
Cc: "Nurnberger, Todd" <Todd.Nurnberger@vw.com>

Date: 08/28/2009 11:04 AM  
Subject: FW: NY Independent concern.

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Hello Ms. Pugliese,  
Thank you for your participation in the conference call.

As discussed.

An independent repair shop in Newburgh New York claims that we are illegally withholding emission repair information. His claim is based on the Security ID required to access certain control module configuration files used by our authorized dealers to do service campaigns and Warrantee repairs. He demands to be able to configure these modules on his own. Over the last several months he has called our, service support hotline, our customer support hot line and our fulfillment vendor claiming to be a dealer and demanding that we provide him with a security ID.

There are systems that are in place for independent repair shops to do legitimate repairs that do not require these security IDs. As required by regulation, for all emission related module software updates we supply pass thru reprogramming applications on our Erwin service information web site. He claims that this is illegal because it is not the same method the dealers use to do module updates. He also claims that we are in violation of the Magnuson-Moss Act by not allowing him to access to these files to complete warranty repairs on his own vehicle.

For certain procedures that do require a security ID there are three methods available to Independent repair shops. Through our fulfillment house we provide a service whereby our technical support staff can, through an on-line connection to his diagnostic tool, enter the password required to complete the operation. Secondly through our service information web site, access is provided to software that makes this function available for use with a lap top and a pass thru device on his own. An enrollment process is required for security reasons. Finally we are participants in the industry supported Secure Data Release Model specifically designed to allow "registered" independents to obtain access to security information. An enrollment process is required for this as well. He is aware of all these options, refuses to use them and believes they are illegal based on his interpretation of the EPA regulations.

Thank You for your consideration  
Best Regards,  
Kurt Immekus

**Kurt Immekus**  
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